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March 9, 2010

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

Agenda No. 4
09/22/09

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

#24 MARCH 16, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**Re: PROJECT NUMBER R2006-01328-(5)
CONDITIONAL USE PERMIT NUMBER 2006-00099-(5)
FIFTH SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted an appeal hearing regarding the above-referenced permit, which seeks authorization to continue the operation and maintenance of a two-story, 35-unit motel named Days Inn, located at 3800 East Colorado Blvd in the East Pasadena/East San Gabriel community. At the completion of the hearing, your Board indicated an intent to approve the permit, instructing us to prepare findings and conditions for approval, with a number of additional conditions imposed by your Board. Enclosed are findings and conditions for your consideration, with the additional conditions.

Very truly yours,

ANDREA SHERIDAN ORDIN
County Counsel

By

Lawrence L. Hafetz
LAWRENCE L. HAFETZ
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:

John F. Krattli
JOHN F. KRATTLI
Senior Assistant County Counsel

LLH:sh
Enclosure

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
PROJECT NO. R2006-01328-(5)
CONDITIONAL USE PERMIT NO. 2006-00099-(5)**

1. The Los Angeles County ("County") Board of Supervisors ("Board") conducted a duly-noticed public hearing in the matter of Conditional Use Permit Case No. 2006-00099-(5) ("CUP") on September 22, 2009. The County Regional Planning Commission ("Commission") previously conducted a duly-noticed public hearing on the CUP on February 6, 2008, March 5, 2008, July 11, 2008, September 10, 2008, and October 1, 2008.
2. The permittee, Bavpenda Bhaktta, requests the CUP to authorize the continued operation and maintenance of a two-story, 35-unit motel, with one manager's unit, named Days Inn ("Days Inn" or "Motel"), formerly known as the Regal Inn, that was built in 1964 and is located at 3800 East Colorado Boulevard in the East Pasadena/East San Gabriel community.
3. As part of the CUP request, the permittee seeks to reduce the parking requirement under the Los Angeles County Code ("County Code"). While the County Code would require 36 parking spaces at the site, 40 percent of which would be allowed to be compact parking spaces, the project proposes to have 30 parking spaces, 43 percent of which will be compact parking spaces. A parking deviation of this type is authorized through the CUP process under the County Code.
4. Also as part of the CUP request, the permittee seeks to modify two signage requirements under the County Code. The proposed project has two on-site freestanding signs, 100 feet apart and approximately 21 feet and 13 feet, respectively, from the nearest adjoining property line. The County Code would require these two signs to be at least 110 feet apart, and the second sign would have to be at least 25 feet from the nearest adjoining property line. Like the parking deviation, a signage modification of this type is authorized through the CUP process under the County Code.
5. The site is zoned C-2 (Neighborhood Business Zone). Surrounding zoning consists of:

North: C-2, R-1 (Single-Family Residence), and R-2 (Two-Family Residence);
East: C-2, R-1, and R-2;
South: R-1; and
West: C-2 and R-1.

6. Surrounding land uses consist of:
- North: Retail uses, multi-family uses, and single-family residences;
East: Retail uses, office uses, and single-family residences;
South: Single-family residences; and
West: Retail uses and single-family residences.
7. The site is developed with the existing Motel which was constructed in 1964. At the time of its construction, the Motel was a permitted use by right in the C-2 zone under the County Code. The County Code was amended in 1965 to require a CUP for motels in the C-2 zone, thus making the Motel a non-conforming use subject to a 40-year amortization period. In 2005, at the end of the amortization period, the Motel was required to either cease operation or obtain a conditional use permit. The CUP application was filed prior to the end of the amortization period.
8. The site plan for the project depicts the following: (a) a two-story, 35-unit motel, including one manager's unit, with associated landscaping and parking; (b) 30 parking spaces consisting of 16 standard parking spaces, 13 compact parking spaces, and one disabled parking space; (c) a 20-foot wide entrance and exit off East Colorado Boulevard; and (d) an accessway from Quigley Avenue via a 35-foot curb break and 20-foot alley.
9. Access to the site is via Colorado Boulevard to the east and west, and Quigley Avenue to the north and south.
10. The land use designation for the subject property is "Major Commercial" in the Los Angeles Countywide General Plan ("General Plan"). Properties with this designation are suitable for central business parks, regional office complexes, major shopping malls and centers, and a range of retail store and service uses. The proposed use is consistent with this General Plan land use designation.
11. Approximately 16 motels are located within one and one-half miles of the subject property. The bulk of these motels were built between the 1940s and 1970s to serve motorists travelling on historical Route 66, coterminous with East Colorado Boulevard. Since that time, land use patterns in the area have changed. While properties fronting Route 66 remain commercial, properties adjacent to Route 66 have been developed with single-family residences.
12. Construction of the Motel occurred in 1964 prior to the adoption of the current zoning standards for the site, including the East Pasadena/East San Gabriel Community Standards District ("CSD"). The Motel does not meet the current setback standards, and thus is non-conforming due to setbacks. However, the Motel does meet the current zoning standards for height, floor area, lot coverage, lighting, and landscaping. As for parking and signage, the Motel does not meet current zoning standards, but the permittee is requesting relief from these standards as discussed in Finding Nos. 3 and 4.

13. The permittee acquired the Motel in 2005. At the time of acquisition, the Motel was operated as the Regal Inn, long reported to have been a nuisance and haven for criminal activity in the East Pasadena community. With a general rundown appearance and a history of renting rooms by the hour, the Motel contributed to what had been known by County staff, the County Sheriff's Department, Temple Station Detective Bureau ("Sheriff"), and the nearby neighbors, as a seedy area where criminal activities such as prostitution and illegal drug activities regularly occurred. The Sheriff had received constant complaints from the neighbors regarding the poor condition of the Motel and the Motel's practice of allowing multiple registered sex offenders to stay at the Motel at any one time. As discussed in Finding No. 20, during pendency of the Commission's public hearing, the permittee entered into a franchise agreement with Days Inn Worldwide, Inc., a nationwide hotel/motel chain ("Days Inn Worldwide"), to convert the Motel to a Days Inn. As part of this hotel/motel chain, the Motel became subject to new operating procedures standardized by Days Inn Worldwide.
14. Since acquiring the Motel in 2005, the permittee made substantial improvements to the Motel to improve its business image and operation, and to deter criminal activities at or near the site. The improvements included installing new windows and a new roof, painting the Motel's exterior, repaving and striping the parking lot, installing landscaping and irrigation, refurbishing the lobby and rooms with high-end finishes, renovating the bathrooms with new fixtures, and improving the building façade. In addition, the permittee improved the security and surveillance at and around the site, by, among other things, installing video cameras and hiring a new security guard. The improvements cost in excess of \$700,000.
15. Since acquiring the Motel in 2005, the permittee has evicted the Motel's long-term tenants, ended the practice of renting rooms by the hour, and requested the State of California Department of Corrections and Rehabilitation Division of Adult Parole Operations not to place parolees and/or registered sex offenders at the Motel. These efforts were made to eliminate several of the causes contributing to the documented nuisance-type activities at the Motel.
16. Since acquiring the Motel in 2005, the permittee has made significant outreach efforts to the community to demonstrate his commitment to improve the property and to address the community's concerns regarding the Motel. The permittee held several open houses for the neighbors and sent them periodic status letters regarding the Motel's improvements, the changes in the Motel's operations, and the permittee's efforts to eliminate criminal activity at the site.
17. Prior to the Commission's initial public hearing session, staff of the County Department of Regional Planning ("Regional Planning") reviewed the project under the California Environmental Quality Act ("CEQA") and determined that, as a continuing operation of an existing facility, the project qualified for a Class 1 Categorical Exemption (Existing Facilities) under CEQA ("Categorical Exemption").

18. At the Commission's multi-session public hearing, the Commission heard a presentation from Regional Planning staff, testimony from the permittee and the permittee's representative, and testimony from a number of local residents in opposition to the project. The opponents also submitted a petition with 105 names in opposition to the project.
19. Opponents at the Commission's public hearing objected to the concentration of motels in the area along East Colorado Boulevard, and also claimed that, because of the number and frequency of registered sex offenders and parolees that have stayed at the motel, when operating as the Regal Inn, the Motel has contributed to the persistent problem of prostitution, criminal activity, vagrancy, and flagrant alcohol consumption in the area. According to the opponents, this problem had overflowed into the nearby residential neighborhood, making the Motel incompatible with family life in the area. The opponents further claimed that the motel was not well maintained, not in good physical condition, and devalued the surrounding area.
20. At the Commission's March 5, 2008 public hearing session, the permittee informed the Commission that the Motel had recently been converted to a Days Inn, and that under its franchise agreement with Days Inn Worldwide, the permittee was required to comply with new operating procedures, including implementing new check-in procedures, improving on-site surveillance and security, removing the on-site pay telephone, and restricting the minimum and maximum stays at the Motel. In addition, the franchise agreement prohibited the permittee from renting rooms by the hour.
21. At the June 11, 2008 public hearing session, the permittee testified that he had hired a new security guard and manager at the Motel, and that the bus stop near the Motel, where alleged criminal behavior was occurring, had been relocated.
22. On September 8, 2008, the City of Arcadia Development Services Department sent a letter to Regional Planning noting that the Motel is near the City's jurisdiction and that, in the past, when operating as the Regal Inn, the Arcadia Police Department ("Arcadia PD") made arrests at or near the Motel of suspected perpetrators of prostitution and drug activities, and also pursuant to search warrants. The letter also stated that the Arcadia PD previously received complaints from a local homeowner's association and nearby residents of alleged prostitution occurring on nearby residential streets that emanated from the Motel.
23. On September 9, 2008, the Pasadena Police Department ("Pasadena PD") issued a memorandum to the Board, which was forwarded to the Commission, citing, among other things, that the Motel, when operating as the Regal Inn, had contributed to the problem of prostitution along East Colorado Boulevard for a number of years, both inside and outside Pasadena's city limits.

24. At the September 10, 2008 public hearing session, the Commission was informed that the number of Sheriff service calls at the Motel had decreased over the prior six-month period.
25. On September 30, 2008, the Pasadena Planning and Development Department sent a letter to Regional Planning stating that East Colorado Boulevard had been a problem prostitution area for years, and that the Motel, when operating as the Regal Inn, had contributed to the problem. According to the letter, the Pasadena PD had witnessed prostitutes leaving other local motels during prostitution arrests and entering the Motel.
26. On October 1, 2008, after hearing all testimony, the Commission closed the public hearing and denied the CUP. The Commission found, among other things, that notwithstanding the Motel's improvements and its conversion to a Days Inn, the Motel nonetheless had a history of contributing to prostitution and other illegal activities in the area.
27. Pursuant to section 22.60.200(A) of the County Code, the permittee appealed the Commission's denial of the CUP to the Board.
28. Prior to the Board's public hearing, the Board received a memorandum from the County Treasurer and Tax Collector ("Tax Collector") stating, among other things, that the Tax Collector had conducted an audit of the Motel to determine its compliance with the County's transient occupancy tax ("TOT") for the years 2005 through 2008, and that the audit showed the Motel had an under-reported tax, penalty, and interest amount of \$30,633 due to the County for those years. The Tax Collector further noted that the Motel had paid this amount in full by the date of the Board's public hearing.
29. The Board conducted its public hearing on the appeal on September 22, 2009. At the public hearing, the Board heard a presentation from Regional Planning staff, testimony from the permittee and the permittee's representative, and testimony from persons in favor of, and in opposition to, the project.
30. At the Board's public hearing, Regional Planning staff informed the Board of, among other things, the permittee's recent franchise agreement with Days Inn Worldwide and the permittee's significant improvements to the Motel since its acquisition. Staff further informed the Board of staff's recent visit to the Motel, which showed no zoning violations at the site, and no maintenance problems with the property.
31. At the Board's public hearing, the permittee testified that, among other things, the franchise agreement with Days Inn Worldwide prohibited registered sex offenders and parolees from staying at the Motel.
32. Proponents of the project testified regarding the significant improvements made to the Motel and the permittee's demonstrated commitment to the community. A security guard employed by the permittee testified that he had witnessed a

significant drop in prostitution in and around the Motel since these improvements were made.

33. At the Board's public hearing, opponents raised claims substantially similar to those raised at the Commission, including claims that notwithstanding the improvements to the Motel, the Motel still contributed to the seedy atmosphere of the area, and that the Motel was incompatible with the nearby residential neighborhood.
34. At the conclusion of the Board's public hearing, the Board adopted the Categorical Exemption for the project, and indicated its intent to uphold the appeal and approve the CUP, subject to the conditions initially proposed by staff early in its review of the project, and also subject to a number of additional conditions imposed by the Board, set forth in Finding No. 45.
35. The Board finds that, while there remains opposition to the project, the Board has also received letters, petitions, and emails in support of the project.
36. The Board finds that the permittee has implemented constructive and positive steps to minimize the negative impacts of the Motel to its neighbors.
37. The Board finds that since the Commission's denial of the CUP, the permittee has made a good faith effort to operate the Motel in a responsible manner.
38. The Board finds that the permittee has installed video cameras, hired a security guard, removed the public telephone, and implemented a number of other changes to improve the operation of the Motel.
39. The Board finds that the permittee has entered into a franchise agreement with Days Inn Worldwide, a nationally-recognized hotel/motel chain, which requires the permittee to maintain the safety, security, and appearance of the Motel in accordance with the franchise agreement.
40. The Board finds that the permittee, operating as a Days Inn, instituted new operating procedures at the Motel, and hired a new manager for the Motel. The permittee also upgraded the landscaping of the site.
41. The Board finds that, as of the date of the Board's hearing, the Motel is substantially improved from the Motel that existed when the CUP application was initially filed. The Board further finds that the improvements to the Motel relate to both its physical appearance and to its operation.
42. The Board finds that the Sheriff has reported a significant decrease in the number of service calls at the site in the six months prior to the Board's hearing.
43. The Board finds that no registered sex offenders or parolees are currently staying at the Motel.

44. The Board finds that it is necessary to limit the term of this grant to 10 years to assure the continued compatibility of the Motel with the surrounding land uses.
45. The Board finds that the grant should include the following additional conditions to assure the continued compatibility of the Motel with the surrounding land uses:
 - A. The permittee shall maintain a franchise and/or license agreement with Days Inn Worldwide, or other nationwide hotel/motel chain, for the duration of the grant, and provide evidence of such agreement to Regional Planning;
 - B. As volunteered by the permittee, the Motel shall be prohibited from renting rooms to registered sex offenders and/or sex offender parolees;
 - C. The permittee shall be prohibited from renting rooms to guests on an hourly basis;
 - D. All guests at the Motel shall be required to show a valid picture identification before renting a room;
 - E. Regional Planning staff shall conduct six inspections of the site per year for the life of the grant, three announced and three unannounced, to insure the permittee's compliance with the conditions of the grant;
 - F. The permittee shall maintain a video camera system for the entire site, including the rental office, and shall keep all video footage for a minimum of 30 days, making it available to law enforcement upon request;
 - G. The permittee shall maintain a log of all guests staying at the Motel, a copy of which shall be provided to Regional Planning annually, and shall make the log available for inspection by County staff at all times;
 - H. Within 30 days of approval of the grant, the permittee shall submit a landscape plan to the Director of Regional Planning for review and approval. Landscaping at the site shall be maintained in a neat, clean, and healthy condition at all times;
 - I. The permittee shall provide Regional Planning a current contact name and telephone number for the owner/operator of the Motel, and shall maintain such information with Regional Planning at all times;
 - J. The permittee shall be prohibited from knowingly allowing illegal drug activities at the Motel;
 - K. The permittee shall obtain all necessary permits and/or other approvals from Regional Planning, the County Department of Public Works, and other appropriate County agencies, for any proposed improvements to the site;

- L. The permittee shall be prohibited from using neon accent lighting or neon signage anywhere on the premises;
 - M. The permittee shall remove all graffiti on the premises within 24 hours of its discovery; and
 - N. The permittee shall contract with a licensed security patrol service to patrol the property and provide a copy of the contract to Regional Planning within 60 days of approval of this grant. Pursuant to this contract, the security guards shall be uniformed so as to be readily identifiable, shall be on site during all evening hours (from dusk to dawn), and shall walk the site at least once an hour during these evening hours. The permittee shall promptly notify the Sheriff of any violations of law occurring on the premises.
46. The Board finds that the permittee's request to: (a) reduce the required number of parking spaces; (b) increase the allowable number of compact parking spaces; and (c) modify the sign requirements of the County Code, as described in Finding Nos. 3 and 4, are appropriate for the site; will ensure the protection of public health, safety, and general welfare; will prevent adverse effects on neighboring properties; and are in conformity with good zoning practice.
47. The Board finds that the project as conditioned will be compatible with the surrounding area and will not pose adverse impacts nor overburden existing public services and facilities.
48. The Board finds that the proposed site is adequate in size and shape to accommodate the development features prescribed in Title 22 of the County Code, or as otherwise required in order to integrate said uses with the uses in the surrounding area.
49. The Board finds that the project as conditioned will not disrupt or adversely impact local traffic conditions and the site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
50. The Board finds that with the conditions of approval, the project is compatible with surrounding uses in terms of scale, intensity, and design. The requested use at the subject property will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
51. The Board finds that project was reviewed under CEQA, the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on that review, the Board found that the

Categorical Exemption was appropriate for the project and thus adopted the Categorical Exemption at the conclusion of the public hearing on the project.

52. The Board finds that the permittee has demonstrated the suitability of the subject property for the proposed use. The Board further finds that establishment of the proposed use at such location is in conformity with good zoning practice, and that compliance with the conditions of approval will ensure the project's compatibility with all applicable General Plan policies.
53. The Board finds that this project is not de minimus in its effect on fish and wildlife resources and thus is subject to California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
54. Approval of this project is conditioned on the permittee's compliance with the attached conditions of approval.
55. The location of the documents and other materials constituting the record of proceedings upon which the Board's decision is based in this matter is the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted General Plan;
- B. That with the attached conditions and restrictions, the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and adequately served by other public or private service facilities as are required.

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that it adopted the Categorical Exemption at the conclusion of the public hearing on the project; and
2. Approves Conditional Use Permit Number 2006-00099-(5), subject to the attached conditions.

**CONDITIONS OF APPROVAL
PROJECT NO. R2006-01328-(5)
CONDITIONAL USE PERMIT NO. 2006-00099-(5)**

1. This grant authorizes the continued operation and maintenance of a two-story, 35-unit motel, with one manager's unit, named Days Inn ("Motel"), located at 3800 East Colorado Boulevard in the East Pasadena/East San Gabriel community, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose unless and until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all the conditions of this grant, and that the conditions have been recorded as required by Condition No. 4, and until all monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, Condition Nos. 4, 5, and 6 shall be effective immediately.
4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property. Upon recordation, an official copy of the recorded conditions shall be provided to the Director of Regional Planning ("Director").
5. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of section 65009 of the California Government Code or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to notify the permittee of any claim, action, or proceeding, or if the County fails to reasonably cooperate in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing, pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions,

testimony, and other assistance to the permittee or the permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:

- a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with section 2.170.010 of the County Code.

7. This grant shall expire unless used within 120 days from the date of approval. Pursuant to section 22.56.140 of the County Code, the permittee may request a one-month time extension to use this grant, provided such request is made in writing and accompanied with the applicable fee at least one month prior to the 120-day expiration date described herein. Compliance with Condition No. 4 shall constitute use of this grant.
8. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
9. This grant shall terminate 10 years after its final approval date as issued by the County Board of Supervisors. Upon written request by the permittee not less than six months prior to the termination date, the Director may extend the term of this permit for an additional five years provided the use is found to be in substantial compliance with the conditions of approval and has been conducted in compliance with all applicable laws and regulations, and the permittee has exercised proper due diligence to resolve any Notice of Violation issued for the property throughout the term of the permit. Upon termination of this grant, entitlement to the use of the property shall be subject to the regulations then in effect.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County the sum of \$9,000 to be placed in a performance fund to be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including inspecting the permittee's adherence to

development in accordance with the site plan on file at Regional Planning. The fund shall provide for six inspections per year, three announced and three unannounced.

In the event that the term of this grant is extended pursuant to Condition No. 9, the permittee shall deposit with the County an additional amount based on the then-current inspection recovery cost, which amount shall be held and used in the same manner as just described for six inspections of the premises per year for the remaining term of the grant.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. The charge for additional inspections shall be the amount equal to the recovery cost at the time of payment. The current recovery cost is \$150 per inspection.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the County Regional Planning Commission or a County hearing officer may, after conducting a public hearing, revoke or modify this grant if it is found that these conditions have been violated, or that this grant has been exercised so as to be detrimental to the public health, safety, or so as to be a nuisance. In the event that the County deems it necessary to initiate such proceedings pursuant to Part 13 of Chapter 22.56 of the County Code, the permittee shall compensate the County for all costs incurred in such proceedings.
12. Upon approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of, and within the timeframe set by, said department.
13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, or by the approved Exhibit "A" or a revised Exhibit "A" approved by the Director.
14. The subject property shall be developed and maintained in compliance with requirements of the County Department of Public Health. Adequate water and sewage facilities or services shall be provided to the project to the satisfaction of said department.

15. All structures related to the permittee's use shall comply with the requirements of the County Department of Public Works ("Public Works") Division of Building and Safety.
16. Within 60 days following the approval of this grant, the permittee shall submit to the Director for review and approval three copies of revised plans similar to the Exhibit "A" presented at the Board's public hearing that depict all project changes required by this grant of approval. Such plans shall depict, at a minimum, the required vehicle back-up distance related to each parking space, and the Motel's directional signage on Colorado Boulevard for entrance and exit. In the event the permittee seeks to revise these plans in the future, the permittee shall submit three copies of such revised plans to the Director for approval, with written authorization from the property owner for such revised plans.
17. The permittee shall provide adequate lighting for the Motel's parking lot area so that such area is at all times sufficiently illuminated to easily discern the appearance and conduct of all persons on or about the parking lot. In addition, the permittee shall design and/or install all exterior lighting at the site to minimize glare and/or direct illumination on adjoining properties. All on-site lighting shall be depicted on the revised Exhibit "A," described in Condition No. 16.
18. A minimum of 30 on-site parking spaces shall be provided at the Motel, 13 of which, at a maximum, shall be compact parking spaces.
19. The Motel shall be prohibited from using amplified sound equipment, music, or a public address system that is intended to be audible outside the Motel building.
20. The permittee shall insure that the Motel manager is aware of and understands all conditions of approval, and that the manager will implement these conditions as needed and/or required. The manager shall have duplicate room keys at all times available for emergency service personnel.
21. The Motel shall keep a copy of these conditions of approval in the Motel office at all times, and shall make a copy available to law enforcement and to code enforcement personnel upon request.
22. The permittee shall be prohibited from renting a Motel room to more persons than the room would otherwise hold based on the type and number of beds in the room.
23. The consumption of alcoholic beverages shall be prohibited at the Motel in all public areas.
24. No abandoned or inoperable vehicles shall be permitted on or at the site.
25. All pay telephones at the site shall be located inside the Motel building where they can be readily monitored by the Motel manager.

26. The use authorized by this grant shall be conducted at all times with due regard to the character of the surrounding neighborhood and the County reserves the right to impose additional conditions to this grant, subject to appropriate notice and procedural requirements under the County Code, if it is determined that such additional conditions are necessary to protect the Motel's neighboring residents.
27. The permittee shall maintain a franchise and/or license agreement with Days Inn Worldwide, Inc., or other nationwide hotel/motel chain, for the duration of the grant, and shall provide evidence of such agreement to Regional Planning.
28. As volunteered by the permittee, the Motel shall be prohibited from knowingly renting rooms to registered sex offenders and/or sex offender parolees.
29. The permittee shall be prohibited from renting rooms to guests on an hourly basis or for less than one night's stay. The maximum length of stay for all guests shall be 29 days. Rent shall be collected no more frequently than once per day per room.
30. All guests at the Motel shall be required to show a valid picture identification before renting a room.
31. Regional Planning shall conduct six inspections of the site per year, three announced and three unannounced, to insure the permittee's compliance with the conditions of the grant.
32. The permittee shall maintain a video camera system for the entire site, including the rental office, and shall keep all video footage for a minimum of 30 days, making it available to law enforcement upon request.
33. The permittee shall maintain a log of all guests staying at the Motel, a copy of which shall be provided to Regional Planning annually, and shall make the log available for inspection by County staff at all times.
34. Within 30 days of approval of the grant, the permittee shall submit a landscape plan to the Director for review and approval. Landscaping at the site shall be maintained in a neat, clean, and healthy condition at all times.
35. The permittee shall provide Regional Planning with a current contact name and telephone number for the owner/operator of the Motel, and shall maintain such information with Regional Planning at all times.
36. The permittee shall be prohibited from knowingly allowing illegal drug activities at the Motel.
37. The permittee shall obtain all necessary permits and/or other approvals from Regional Planning, Public Works, and other appropriate County agencies, for any proposed improvements to the site.

38. The permittee shall be prohibited from using neon accent lighting or neon signage anywhere on the premises.
39. Except for seasonal decorations or signage provided by or for a civic or non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that do not directly relate to the use of the property or provide pertinent information about the premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
40. The permittee shall contract with a licensed security patrol service or a certified security guard on staff to patrol the property, and provide a copy of the contract to Regional Planning within 60 days of approval of this grant. Pursuant to this contract, the security guards shall be uniformed so as to be readily identifiable, shall be on site during all evening hours (from dusk to dawn), and shall walk the site at least once an hour during these evening hours. The permittee shall promptly notify the County Sheriff's Department of any violations of law occurring on the premises.